

ELECTION CONTEST OF GEORGE M. PRITCHARD AGAINST JOSIAH W. BAILEY

JANUARY 10 (calendar day, FEBRUARY 3), 1933.—Ordered to be printed

Mr. MOSES, from the Committee on Privileges and Elections, submitted the following

REPORT

The subcommittee of the Committee on Privileges and Elections, to whom was referred the contest filed by George M. Pritchard against the sitting senior Senator from North Carolina, find:

(1) That the original notice of contest was of general character, indefinite in its allegations, and insufficient in itself to justify the contest.

(2) Accordingly and in response to a notice from the committee to file more specific allegations, the contestant filed a bill of particulars which was specific in the sense that it mentioned general allegations regarding irregularities in the election in certain counties in North Carolina. The subcommittee concluded that these allegations were not less general than the allegations in the original notice, that the limiting of general allegations to certain specified counties was not in itself sufficient to provide particulars upon which to found a contest or to rebut the presumption of the validity of the returns and the record thereof as filed with the committee.

The subcommittee holds the opinion that title to office as shown by the election returns must be respected in the interest of the stability of government and ought not to be reviewed except upon specific showing calculated seriously to raise a doubt as to the title of the holder of the office. The subcommittee also was not unmindful of the time and expense which would be necessary to carry on a contest such as was evidently contemplated.

(3) Final notice was duly served upon the contestant to show cause on January 25, 1933, why this contest should not be dismissed. Accepting as true the contestant's allegations the committee find that they are not sufficiently specific to sustain the object sought and that they do not tend to show that the contestant was elected

or that the contestee was not elected—inasmuch as the contestee's official majority was in excess of 113,000 votes.

For this reason the subcommittee being authorized thereto recommends to the Senate that the petition of the contestant be dismissed.

GEO. H. MOSES.

JAS E. WATSON.

ROBERT J. BULKLEY.

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